IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY THIRD DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 3214 of 2005

Between:

1. P.A.Lawrence, S/o.Putti Abhraham,, aged 50 years, Occ: Ex-serviceman, R/o.Trimurthy Colony, Mahendra Hilla, Secunderabad.

2. Smt.Pricilla Andrew, C/o.K.Dharshan, Aged 32 years, Occ: House hold,, R/o.Flat No.205, Vanilla Mansion, Busareddyguda, West Marredpally, Secunderabad.

3. R.Joseph, S/o. R.Actchaiah, Aged 63 years, Occ: Ex-serviceman, R/o.H.No.3-221, Shivajinagar, Secunderabad.

4. B.S.Sayeed, S/o.Rasool Saheb, Aged 60 years, Occ: Ex-serviceman, R/o.H.No.6-2-131, Nirmalnagar, Sainikpuri, Secunderabad.

... PETITIONERS

AND

1. State of Andhra Pradesh, rep.it Secretary, Revenue Department, Secretariat, Hyderabad.

2. The District Collector, Rangareddy District, Lakdikapool, Hyderabad.

3. The Revenue Divisional Officer, East Division, Rangareddy District, Goshamahald, Hyderabad.

4. The Mandal Revenue Officer, Shameerpet Mandald, Rangareddy District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the

circumstances stated in the Affidavit filed herein the High Court be pleased to issue a writ or order or direction, one in the nature of writ of mandamus, i) declaring the action of the respondents in not assigning and issuing the patta certificates in favour of petitioners to their respective lands situated at Jawaharnagar village, Shammerpet Mandal, R.R. District for last more than 40 years, as arbitrary, illegal, unreasonable, violative of Art. 14, 21 and 300-A of Constitution of India, ii) a direction to the respondents to assign the land and issue patta certificates in favour of the petitioners to an extent of Ac. 5.0 gts in Sy.No. 38 Ac. 5.0 gts in Sy.No. 103 and 104, Ac. 5.0 gts in Sy.No. 105 and 106, Ac. 5.0 gts in Sy.No. 96/1 and 97 , respectively situated at Jawaharnagar Village, Shameerpet Mandal, Ranga Reddy District. iii) Costs be awarded and pass such other order or orders as this Hon'ble Court may deem fit in the circumstances of the case.

Counsel for the Petitioners: MR.B.MAHENDER REDDY

Counsel for the Respondents: GP FOR REVENUE

The Court at the stage of admission made the following:

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ORDER:

This writ petition is filed aggrieved by the alleged inaction on the part of the respondents in considering the request of the petitioners for assignment of the land in their occupation situated in Sy.No.38, 103, 104, 105, 106, 96/1 and 97 of Jawahar Nagar Village, Shameerpet Mandal, R.R. District.

It is stated in the affidavit filed in support of the writ petition that all the petitioners are ex-servicemen and that by virtue of the notification issued by the Government in G.O.Ms.No.25, dated
23-10-1952, an extent of 5977.03 acres was assigned in favour of the Labour Department with a view to rehabilitate the ex-servicemen. Subsequently, G.O.Ms.No.17, dated 5-1-1976 has been issued so as to grant individual assignments to the Ex-servicemen. The petitioners claim to be in possession of small extents of land for the past several years. It is stated that W.P.No.3192 of 1992 and batch filed by similarly situated persons were disposed of by this Court directing the respondents to conduct enquiry and to grant pattas to eligible Ex-servicemen. However, similar benefit is not extended to the petitioners in spite of their representation dated 15-04-2004 requesting the respondents to grant pattas. Hence, this writ petition.

It is brought to my notice by the learned Counsel for both the parties that W.P.No.9535 of 2004 with an identical prayer, has been disposed of with a direction to the respondents to consider the representation of the petitioners therein in accordance with law.

Accordingly, the writ petition is disposed of with a direction to the respondents to consider the representation of the petitioners dated 15-04-2004 and pass appropriate orders, in accordance with law. No costs.

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G. ROHINI, J

Dated: 23-02-2005

LSK

ASSISTANT REGISTRAR

To

1. The Secretary, Revenue Department, Secretariat, Hyderabad.

2. The District Collector, Rangareddy District, Lakdikapool, Hyderabad.

3. The Revenue Divisional Officer, East Division, Rangareddy District, Goshamahald, Hyderabad.

4. The Mandal Revenue Officer, Shameerpet Mandald, Rangareddy District.

5. Two C.Cs. to the Government Pleader for Revenue, High Court Buildings, Hyderabad. (O.U.T.)

6. Two C.D. copies.